

**REMARKS/ARGUMENTS**

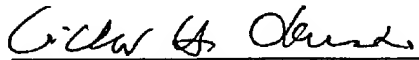
In the Office Action of November 2, 2005 (the "Office Action"), Claims 1-40 and 63-73 are rejected under 35 U.S.C. 112, 2<sup>nd</sup> paragraph; and Claims 41-62 are allowed.

Claims 1, 21 and 63 have been amended so that the recited limitation "said terms" in each of those claims has been amended to recite "said ascertained terms". Although the Office Action rejects Claim 64 under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, it is believed that this is a typographical error since Claim 63 is the independent claim with the objected to language. Also, although the Office Action suggests the language "said ascertaining terms", it is believed that the chosen language "said ascertained terms" is preferable and equally clarifying.

Claims 1-73 remain pending in the application. Claims 41-62 have been allowed. Reconsideration of the rejection of Claims 1-40 and 63-73 is respectfully requested for the reasons stated herein, and an early notice of their allowance earnestly solicited. If the Examiner believes that it would expedite the processing of this case, he is respectfully requested to contact the undersigned attorney at the number shown below.

Respectfully submitted,

Dated: November 8, 2005

  
Victor H. Okumoto  
Registration No. 35,973  
(510) 792-1112